

Nothing lasts long and maintains its efficiency without replacement. Improvement is the eternal safeguard—desire makes strength—contentment, weakness—Mablin Messenger.

ROCKEFELLER NOT CREATOR OF THE TRUST

Oil Magnate Gives Henry M. Flagler and Samuel C. T. Todd Full Credit.

ARDUOUS DAY SPENT IN ANSWERING QUESTIONS

GOVERNMENT ATTORNEYS TAKING WITNESS OVER WHOLE FIELD OF OPERATIONS.

New York, Nov. 23.—Credit for the creation of the Standard Oil trust, which counsel for the federal government claims still exists as the Standard Oil company of New Jersey, was given by John D. Rockefeller, as a witness today under cross-examination in the federal suit to dissolve the Standard, to two men—Henry M. Flagler and Samuel C. T. Todd.

To these master architects of the oil combine Mr. Rockefeller gave full credit, saying that he was sure it was not himself, as he did not possess the ability for so progressive a move.

Trying Ordeal for John D.

Mr. Rockefeller spent an arduous day on the stand, under the incessant questioning of Frank B. Kellogg, the government's counsel, and when adjournment was taken until tomorrow he gave every evidence of delight that the day was done. Counsel hopes to conclude Mr. Rockefeller's cross-examination tomorrow, when it is planned to place John D. Archbold, vice president of the Standard, on the stand. Mr. Kellogg, who with other government investigators, had been endeavoring for over a year to locate the missing stock transfer books of the Standard Oil trust, sought to do so today through Mr. Rockefeller, who promised to do what he could to find them. Mr. Rockefeller's examination today carried him through the period of the Standard Oil trust and the years of its subsequent liquidation which lasted from 1895 to 1899.

Memory Not Always Clear.

Mr. Rockefeller's memory at times was not clear on the definite details of this trust liquidation period, and he told counsel that he could not recall many of the incidents and developments of that time. During the day Mr. Kellogg developed from Mr. Rockefeller that early in the liquidation, existence of the Standard Oil trust, two railroad companies, together with their directors, were stockholders in the oil combination.

Whole Subject Opened Up.

It had been the plan of the Standard's attorneys to have Mr. Rockefeller tell of the comparatively early years of the company's existence, and his direct examination included no reference to any happening later than 1882. It was announced at that time that the remainder of the Standard's story would be told by John D. Archbold and other officers of the company who are more familiar than Mr. Rockefeller himself, but one of his answers made it possible for the government to go as far as it likes in the cross-examination. In his direct examination Mr. Rockefeller had said that the business of refining oil was a hazardous one. In his cross-examination Mr. Kellogg asked him how he regarded his hazardous business which had returned such enormous profits. Mr. Rockefeller replied that the fact that a business had been profitable was no argument against a contention that it was hazardous and he reiterated that oil refining was a hazardous business, "even up to the present time."

Mr. Kellogg maintained that Mr. Rockefeller's gross statements that the business is hazardous "up to the present time" opens up to him the whole of the Standard's history.

Mr. Rockefeller returned to the city today from his country home, Pocomoke Hills, where he had rested over Sunday. He exercised yesterday by walking home from the Baptist church, a distance of two miles.

Refreshed by 4 days' rest, Mr. Rockefeller was smiling when Frank B. Kellogg, special assistant attorney general, resumed his cross-examination.

Went on Stand Smiling.

Mr. Kellogg's first inquiry was whether all the stockholders of the South Improvement company after-

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HAD COL. GUFFEY ON THE STRING

Arrest of J. Montefiore Myers, Whose Financial Schemes Were of Great Magnitude.

MILLIONS IN IT FOR ALL

STORY READS LIKE OPERATIONS OF BERESFORD HOPE.

Pittsburg, Nov. 23.—The police have made two additional arrests in the case of J. Montefiore Myers, said to be from Australia, who was taken into custody at the Hotel Schenley last Saturday and taken to New York yesterday under a charge of grand larceny. W. Fitzpatrick and John A. Fitzpatrick, brothers, said to be from Iowa, Mich., and alleged to be confederates of Myers, were arrested yesterday on information furnished by Richard Brinsley Sheridan, a wealthy coal operator of Wilkesbarre, Pa., and John A. Garman of the same place, chief counsel for Colonel J. M. Guffey, the millionaire oil operator of Pittsburg.

According to the police, T. N. Barnsdall, also a millionaire oil operator of this city, had been interested in several deals by Myers.

Sensational Case.

The case has developed into a sensational one. Myers and the Fitzpatricks are alleged to have been promoting a deal to buy options on coal and oil lands. Myers, it is said, represented that he controlled several million dollars of the Rothschilds. Myers, who has an engaging personality, had little trouble in interesting Mr. Sheridan, Colonel Guffey and Mr. Barnsdall.

Won Their Confidence.

"I will confess that Myers won my complete confidence, which was strengthened when I learned that he had interested Colonel Guffey. I introduced him to a number of men. I thought, would be of service to the project, and spent considerable money in boosting the thing."

"To make the thing look better, Myers brought Colonel Guffey to Wilkesbarre. I don't know what caused it, but Garman and myself grew suspicious, and as Myers said he was from New York, we asked the police there to investigate him. The police found that he was not who he claimed to be. He was uncovered, and his arrest on a charge of grand larceny followed on Saturday."

The superintendent of police said to-day:

"For all I can learn Myers and his confederates secured very little, if any, money, but they were just about ready to unload a swindle that would have things wide open in financial circles."

SCHEME A BIG ONE.

Myers Claimed to Have European Backing.

New York, Nov. 23.—Claiming to have the backing of European capitalists to the extent of \$200,000,000, according to the story told by the police, Joseph Montefiore Myers, who has spent the last few months in Pittsburg endeavoring to interest the capitalists of that city in various plans requiring large amounts of money, was brought to this city today and charged with the larceny of five bonds valued at \$4,500.

Myers, it is said, claimed acquaintance with many prominent people both in this country and abroad, and was introduced at the clubs and dined by Pittsburg financiers whom he interested in his various plans. Some time ago Myers secured an option on oil properties owned by Colonel J. M. Guffey of that city, but failing within the time limit to pay the purchase money, negotiations came to an end.

Previous to going to Pittsburg Myers had been in the city of New York, and by means of letters of introduction bearing the names of well-known men, he succeeded in meeting men and women of prominence in a social and business way.

BANK FAILURE ABROAD.

Cologne, Nov. 23.—The Commercial and Industrial bank of Bonn, capitalized at \$750,000, today temporarily suspended payment as a result of the general dullness in trade. Arrangements are going on with other banks in order to prevent creditors from suffering loss.

SPEAKER CANNON NOW DECLARES HE IS IN FAVOR OF TARIFF REVISION

Chicago, Nov. 23.—Joseph G. Cannon, speaker of the house of representatives, placed himself on record today in favor of a revision of the tariff in accordance with the promise of the Republican party platform, and declared that so far as his voice was concerned on this question he was in favor of a revision of the tariff in the national laws as soon as possible. The words of the speaker came at the conclusion of the luncheon given to six rear admirals of the United States navy by Alexander P. Revell of Chicago, in the United League club, at which the need of more battleships and increased efficiency of the fighting forces of the republic were the principal themes of discussion.

On the tariff question Speaker Cannon said:

"Any change in the revenue laws of the country of necessity is followed by



And This From Father!

WOULD LIKE TO HEAR CARNEGIE

Ways and Means Committee Read the Article on the Tariff and Wondered.

Washington, Nov. 23.—As a result of the declaration of Andrew Carnegie, in an article in the forthcoming number of the Century Magazine, that the tariff schedules on iron and steel should be reduced, the ways and means committee of the house tonight formally invited Mr. Carnegie to appear before it this week to tell what he knows about the steel industry and the possibility of reduction of the tariff on iron and steel products.

The committee desires him to appear temporarily on Wednesday, when the iron and steel schedule will be taken up in the hearing room being held by the committee, looking toward a revision of the tariff. The hearings on the iron and steel rates will continue until Friday, and if Mr. Carnegie finds it impossible to appear Wednesday, the committee is anxious to hear him on Thursday or Friday.

For all I can learn Myers and his confederates secured very little, if any, money, but they were just about ready to unload a swindle that would have things wide open in financial circles."

Reply Expected Today.

No reply had been received from Mr. Carnegie by the committee when it took a recess at 11 o'clock tonight until tomorrow morning, but as the telegram of invitation was not sent until late, no reply is expected until tomorrow. The telegram was as follows:

"This committee will have a hearing on the iron and steel schedules Wednesday, the 25th inst., and continuing Friday, the 27th. We would be very glad to have you appear before the committee on one of these days, preferably on Wednesday, and give the committee such information as you are able upon the subject. The daily sessions commence at 9:30 a. m.—Serenio Payne, Chairman."

The members of the committee were a unit in refusing to discuss Mr. Carnegie's article, although all of them admitted having read it as published this morning.

OFFICIAL RETURNS.

Result of Election in Wisconsin, Kansas and Louisiana.

Madison, Wis., Nov. 23.—The official vote for president in Wisconsin, announced today, follows:

Taft, 248,763; Bryan, 166,707; Debs, 28,146; Chaffin, 11,579.

Topeka, Kan., Nov. 23.—The total vote cast in Kansas for president was 375,895, as follows:

Taft, 197,166; Bryan, 161,209; Debs, 12,420; Chaffin, 5,032; scattering, 68. Taft's plurality, 32,957.

W. R. Stubbs, Republican, for governor, received 169,692; Botkin, Democrat, 162,385; Stubbs' plurality, 34,307.

Baton Rouge, La., Nov. 23.—The secretary of state has given the official vote of the state of Louisiana in the presidential election as follows: Bryan, 63,568; Taft, 8,958; Debs, 2,538; Higgen, 732.

WIFE PROVES FAITHFUL.

Charles G. Magness Taken to Prison for Deserting From Navy.

Philadelphia, Nov. 23.—Charles G. Magness, husband of a daughter of the late United States Senator Gorman of Maryland, recently convicted of desertion from the United States navy, left the Philadelphia navy yard today for Portsmouth, N. H., where he will serve a year in the government prison. Magness was met by his wife, who accompanied him to Portsmouth, where he will reside in his house and as often as the rules of the prison permit.

LIVES LOST IN TERRIFIC WIND

Several Towns Destroyed by Tornado in Arkansas—Reports Very Meager.

Little Rock, Ark., Nov. 23.—According to advices received up to midnight, meager because of the remoteness of the section affected, more than a score of lives were lost and many other persons were injured in a tornado which swept the northwestern section of this state late today, demolishing several towns and razing vast timber tracts.

The section reported storm-swept is in the heart of the Arkansas river valley, and details and confirmation of many of the reports are necessarily lacking.

The tornado, approaching from the southwest, crossed the Arkansas river several miles south of the settlement of Piney and proceeded in a northeasterly direction. It swept through the towns of London, Wellsville, Jeshro and Lewisville, Patterson and Berryville, and outlying portions of Mulberry, either completely wrecking or laying waste the larger part of these places and destroying timber and crops throughout the intermediate country.

Many Reported Killed.

At Piney it is said that twelve persons were killed and a number injured. Practically the entire settlement was demolished.

At London three are reported to have lost their lives.

Wellsville and Jeshro are reported destroyed, several fatalities occurring in each place.

In the vicinity of Mulberry the death list is placed at seven.

At Berryville, one woman, Mrs. J. O. Hoskins, was seriously injured, and several others sustained lesser injuries. A path 100 yards wide was cut through the town, six buildings being completely wrecked and a number of others damaged, either being torn from their foundations or unroofed. Here the property loss is estimated at about \$25,000.

Much Property Destroyed.

From the outlying districts considerable damage to property is also reported, but no loss of life.

At Lodi three buildings were destroyed and one woman was seriously hurt.

Advices from Lewisville, in the Western part of Lafayette county report the destruction of several buildings at that place, and at Palmos considerable damage to property as well as injury to a number of persons are reported.

In response to an appeal for aid from Piney, a relief party, including three physicians, left Knoxville, Ark., late tonight for that place. The message here stated that the number of persons had been injured and others killed, but nothing can be ascertained as yet as to the number. Piney is peopled mostly by Germans engaged in clearing the adjacent land.

Sweep of Seventy Miles.

Fort Smith, Ark., Nov. 23.—The tornado swept through a section of country two miles wide and seventy miles long. The force of the storm was greater in the vicinity of Ozark, Ark., the small town of Cravens four miles west being completely wiped out. Four people were killed and three fatally injured.

Mr. and Mrs. John Rosin. Two children. The injured: Mr. and Mrs. Hill, an aged couple, were killed in the collapse of their house and crushed.

A grocery store in which several people were killed.

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SUBJECT IS NOT ALLOWED TO DIE

Strong Words of Herr Glass Regarding "Personal Politics" in Germany.

Leipzig, Nov. 23.—A strong stand against "personal politics" was taken here today in the course of an extraordinary session of the imperial pan-German union, which is composed of members of most of the political parties of the empire. President Heinrich Glass, in his opening address, said:

"The public life of Germany exhibits everywhere lack of courage and sincerity and self-consciousness. The German nation is leading a life of self-deception. It imagined it was making progress where in reality it was retrograding. Happily for both the people and the emperor this false life has been disturbed. The personal intervention of the emperor has not been confined to foreign politics; it has brought about also serious internal prejudices. The wealthy and privileged are promoted and the weak and cowardly are indulged."

"We set this forth as loyal patriots, and we declare that in spite of denials a system of favoritism has developed. If the nation declared of itself that it was not a victim of the emperor's policy, it should insist that the veil of deception between the emperor and the people that recently was torn asunder should again be drawn; truth must occupy its proper place."

"No change in the constitution is necessary. The ruler, the chancellor, the reichstag and the people need only to have confidence in each other and to make full use of their right each to control the doings of the other."

A motion embodying the ideas set forth by Herr Glass was carried unanimously.

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THE DEATH RECORD.

Colonel W. H. Zimmerman.

Brazil, Ind., Nov. 23.—Colonel W. H. Zimmerman, aged 72, of this city, died late yesterday at Macon, Ga., on a train while en route from Macon to Chicago. He was colonel of the regiment in which President McKinley enlisted as a private and the commission of lieutenant to the young private.

Marion Albert Baker.

New Orleans, Nov. 23.—Marion Albert Baker, one of the most prominent figures in southern journalism, died here today, aged 74.

J. Smith Talley.

Terre Haute, Ind., Nov. 23.—J. Smith Talley, a widely known coal operator, died of dropsy at his home here today.

VOTE MAY BE DIVIDED.

Bryan Elector Received More Votes Than Lowest Taft Elector.

Jefferson City, Mo., Nov. 23.—A possibility that the electoral vote of Missouri may be divided between Taft and Bryan arose today when it was discovered that one Bryan elector received more votes than the lowest Taft elector.

Whether Bryan electors will give their vote to Bryan or Taft depends upon a decision which Governor Folk now has under advisement.

Brantley Bryan elector for the sixteenth district, failed to defeat Duffenderfer, the Taft elector for the same district, but he received 22 more votes than did Kiel, the second Taft elector at large. The question that has arisen is whether the electors are chosen by districts.

CHARGED WITH LARCENY.

New York, Nov. 23.—John G. Jenkins, Jr., formerly president of the Jenkins Trust company of Brooklyn, which failed during the financial panic of 1907, was placed on trial in Brooklyn today charged with the larceny of \$50,000 by misappropriating \$50,000 of the trust company funds by transferring same to the stock brokerage firm of which he was a member. Jenkins is a member of a family of bankers who were well and widely known before the financial crash of last year.

VANCE UNMOVED HEARS SHOCKING TALE UNFOLDED

Witnesses Tell of His Having Beaten and Kicked His Wife Who Died in the Hospital.

POISONING CHARGE ALSO TO BE PRESSED

ACCUSED MAN'S DAUGHTER RELATES INCIDENTS PRECEDING MOTHER'S DEATH.

Through the testimony of Lena Vance, the twelve-year-old daughter of Thomas Vance, on trial charged with the murder of his wife, Mary Vance, the case for the state was fairly outlined at yesterday's hearing. Obviously frightened and nervous over her trying ordeal, the little girl told in a voice scarcely audible to the jury the story of the quarrel between the husband and wife and the assault which is supposed to have contributed to the death of her mother. Certain portions of her testimony, were secured with great difficulty, as she apparently did not fully understand the purpose of some of the questions put to her, and took refuge at times in a stubborn silence which was broken only after repeated questioning.

During the recital of the attack upon his wife as related by his eldest child, the prisoner listened with perfect equanimity, chewing gum and caressing his red mustache, which on a starting color contrast to the prison pallor of his face.

During the testimony of Mrs. Amanda Ward, former wife of George Vance, nephew of the prisoner and a sister of the dead woman, Thomas Vance listened with an expression of genuine amusement. It was through the efforts of Mrs. Ward that Vance was arrested and the supposed dying statement of his wife accusing him of poisoning her was secured. She will be cross-examined by Judge Maginnis for the defense this morning.

The cross-examination of the defense at yesterday's session was directed in some degree toward showing that she had carefully gone over the testimony of Lena Vance in preparation for the story she told by the child upon the witness stand. The questions of the defense also attempted to bring out the fact that Mrs. Vance was in bad health, that she was accustomed to taking medicines and that she was a woman of violent temper. Many of the questions on cross-examination attempted to show the discrepancies between the testimony at the preliminary hearing and that given yesterday.

Case Is Outlined.

The prosecution was opened by District Attorney F. C. Loofbourou, who outlined the case to the jury, stating that the state would try to prove that after being brutally assaulted and kicked by the defendant, Mrs. Vance had been poisoned by a bichloride of mercury, which slipped into a glass of water by her husband, from which she afterwards drank. Mr. Loofbourou outlined the symptoms exhibited by Mrs. Vance during her illness and impressed upon the jury the fact that she died within twenty-four hours, nearly every trace of the poison disappears from the body.

The witnesses for the state and for the defense were sworn in together, and Joseph B. Swenson, county surveyor, explained the chart of the Vance house at 861 South Seventh West street, where the assault and poisoning are supposed to have occurred. He explained that the house was separated from the neighboring houses upon each side by about ten feet.

Mrs. Wunderlich's Story.

Mrs. Clara Wunderlich, a next-door neighbor of the Vance family, was then called. She stated that she saw Mrs. Vance on the day of the trouble, Nov. 18, 1907. She stated that she was in her own house when her attention was attracted by the noise of a fall within the Vance house and the screams of the Vance children and Mrs. Vance. She said that Mrs. Vance came out upon the back porch of the Vance house, dead, pale, with her hair disheveled, and called to her to telephone for the police, saying, "He is killing me. Mrs. Wunderlich asked who, and Mrs. Vance stated, "That brute which I call my husband." Mrs. Wunderlich stated that she again saw Mrs. Vance as the latter got off the Poplar Grove car about 5 o'clock, and that she saw her in the afternoon of Nov. 25. She said that on the next day she had gone to the Vance house in response to a summons from Mrs. Vance about 10 o'clock in the morning and that she, Mrs. Ward and

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INDICTMENT IN UTAH BANK CASE ENDS IN NAUGHT

Mr. Booth to Ask for Dismissal on Technical Grounds Defined by Department.

A. W. NELSON NOT AGENT OF LOOTED CONCERN

MATTER NOW UP TO STATE COURTS—M'CORMICK SEEMS TO BE UNDECIDED.

The case against A. W. Nelson, indicted on a charge of stealing \$106,250 from the Utah National bank on Jan. 9 last, will probably be dismissed at 10 o'clock this morning in the federal court. At that time District Attorney H. E. Booth will ask for a dismissal of the case on the ground that the federal court has no jurisdiction in the matter.

This action will be taken pursuant to instructions received by District Attorney

Booth from the department of justice at Washington. The question of jurisdiction was submitted to the department in connection with previous expert witnesses and other expenses in connection with the conduct of the case.

The evidence in the case as it had been presented to the grand jury was presented to the department of justice. The indictment was drawn under section 209 of the federal code. The department of justice held that A. W. Nelson, while he was given certain privileges in the bank, was not an agent of the bank, within the meaning of the statute. Hence, Mr. Booth points out, the prosecution could be brought properly only in the state courts.

Up to the Directors.

When asked last evening whether or not the matter would be presented to the state courts, W. S. McCormick, the president and principal stockholder of the Utah National bank, said that that would be a matter for the board of directors to consider. He was not prepared to say whether or not this matter would be taken up at a special meeting of the board to be called for that purpose.

County Attorney Willard Hanson said last evening with reference to the prosecution of the case in the state courts:

"I had not heard that the case was not to be prosecuted in the federal courts. If the case comes to our office I will ask for all of the records in the case and for an outline of the evidence as presented to the federal grand jury. I should want to be satisfied that there was a probability of guilt before I issued the complaint. The fact that the federal grand jury has indicted this man, I think, should lead to the conclusion that there was sufficient ground for the issuance of the complaint."

"At about the time the investigation of the robbery was first taken up by the federal grand jury, there was something said about it being a matter for the state courts. The matter was discussed with District Attorney Loofbourou. Mr. Booth, I understand, is the one who has taken the case to the state government to prosecute. For that reason no effort was made to take up the case in the state courts."

United States District Attorney

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GANG OF COUNTERFEITERS BROKEN UP BY SECRET SERVICE OFFICERS

Chicago, Nov. 23.—That the counterfeit five-dollar bills which have been freely circulated in Chicago, St. Louis, Dayton, Ohio, Cleveland, New Orleans, Minneapolis and other cities in the last two months were manufactured by an organized gang operating in Chicago, and that this gang is practically broken up, was said by the United States secret service authorities today to have been determined by a number of arrests. Some of the men taken are said to have made confessions, declaring that \$30,000 worth of the bills were made; that the plates were engraved by one of the gang and the bogus money was struck off in wholesale lots at a place on West Adams street in this city.

With Leo Brown, Edward Wheed and Ed. W. Young, George Anderson and Oia Barnishon, the three latter being held in connection with circulation of the bills. A recent fire in the building in which the plant was located is said

to have destroyed a large number of the bills. After a quarrel between the men the plates are declared to have been thrown into the Chicago river. Although printed upon a poor imitation of the government paper, the counterfeiters were not easily detected. Business men readily accepted them, but bank officials at once saw the defects. Dr. Young is accused of circulating sixty of the bills in Dayton, O. Four of the men and the woman were held to the federal grand jury in bonds of \$5,000 each.

Captain Porter of the secret service bureau said:

"These spurious bills made their appearance about election day and have since given us a lot of trouble. I suppose about \$50,000 was made, but not all of it circulated. Brown made a full confession, saying he had not been treated right by his companions. Wheed also confessed, saying he was with Westcott when the plates were thrown into the river."